

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: DENNIS N. NESBITT and, DAMIKA D. NESBITT,  Debtors,  NISSAN MOTOR ACCEPTANCE CORPORATION,  Movant,  V. DENNIS N. NESBITT, DAMIKA D. NESBITT and, SCOTT F. WATERMAN, Trustee  Respondents.	Bankruptcy No. 19-11014-amc  Chapter 13  Doc. No. 60, 61
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**CERTIFICATION OF DEFAULT OF STIPULATION RESOLVING MOTION FOR RELIEF  
FROM THE AUTOMATIC STAY**

1. Nissan Motor Acceptance Corporation, (the “Movant”), filed a Stipulation Resolving *the Motion for Relief from the Automatic Stay as to the 2014 Infiniti QX60 , VIN: 5N1AL0MM7EC535529* (the “Stipulation”) in the above captioned case on February 8, 2021, at Document No. 60. The Stipulation was approved by this Court on February 9, 2021, by the Order docketed at Document No. 61. A true and correct copy of the Stipulation is attached hereto as **Exhibit A**.

The Stipulation Resolving Motion for Relief from the Automatic Stay (the “Stipulation”) states:  
As of the date of this Stipulation, the post-petition arrearages in the Motion for Relief from Stay have been cured.

Debtors shall remain current with their post-petition monthly payment under the Agreement in the amount of \$740.89 going forward, with further monthly payments to be made on or before the 17<sup>th</sup> of each month.

Payments are to be made to:

Nissan Motor Acceptance Corporation  
P.O. Box 660366  
Dallas, TX 75266-0366

2. Since the entry of the Stipulation, a total of \$5,927.12, became due through October 1, 2021, of which \$19,732.30 has been paid. A delinquency of \$3,709.44 remains as of October 22, 2021. A payment history as of October 22, 2021 is attached, hereto as **Exhibit B**.

3. Movant is entitled to relief from the automatic stay without further hearings because Debtor has failed to cure the delinquency in the Notice of Default, therefore failing to comply with the terms of the Stipulation. Debtor has been adequately notified of the default.

WHEREFORE, Movant requests that this Honorable Court enters the attached Order granting Movant relief from the automatic stay.

Respectfully submitted,

BERNSTEIN-BURKLEY, P.C.

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Dated: October 27, 2021